



Town of Groton, Connecticut

Meeting Agenda

Town Council

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk 860-441-6640
Town Manager 860-441-6630

Mayor Heather Bond Somers, Councilors Dean G. Antipas, Bruce S. Flax, Bill Johnson, Karen F. Morton, Deborah L. Peruzzotti, Rita M. Schmidt, James L. Streeter, and Harry A. Watson

Tuesday, April 02, 2013

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

2013-0091 Proclamation Celebrating the Mystic Irish Parade

Proclamation - TC

Recess for Public Hearing on:

2013-0067 Small Cities Community Block Grant - 2013 Application

Referral

IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

This is the portion of the Council Agenda where the Council welcomes comments from citizens. Each presentation should be limited to five (5) minutes or less, and citizens should, if possible, submit written comments. Presentations should be related to matters pertinent to Groton. Town Councilors will only ask questions in order to clarify the speaker's presentation and can respond during the Responses to Citizens' Petitions portion of the Town Council meeting. Citizens should make their presentations from the lectern and state their names and addresses for the record.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

VI. CONSENT CALENDAR

All matters listed under Item VI (Consent Calendar) are considered to be routine and will be enacted by one motion. No separate discussion of these items will take place, unless cause is shown prior to the time Council votes on the motion to adopt.

a. Approval of Minutes

2013-0095 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meetings of March 12, 2013 and March 19, 2013 are hereby accepted and approved.

b. Administrative Items

2013-0086 Special Trust Fund Contributions

Resolution - Consent

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Charles Rogers - \$35.00 - Social Services Discretionary

Lee Vincent - \$50.00 - Social Services Discretionary

c. Deletions from the Town Council Referral List

2012-0228 Noank Fire District Response on Noank School Reuse

Referral

2013-0079	Annual RTM Budget Meeting	Referral
2013-0087	Groton Rotary Grant - Groton Sailing Program	Referral
2013-0088	Poquonnock River Walkway Park - Remediation Work	Referral
2013-0067	Small Cities Community Block Grant - 2013 Application	Referral

VII. COMMUNICATION REPORTS (Other than Committee Reports)

- a. Town Councilors
- b. Clerk of the Representative Town Meeting
- c. Clerk of the Council
- d. Town Manager
- e. Town Attorney

VIII. COMMITTEE REPORTS

- a. Community & Cultural Development - Chairman Schmidt
- b. Economic Development - Chairman Johnson
- c. Education/Health & Social Services - Chairman Watson
- d. Environment/Energy - Chairman Peruzzotti
- e. Finance - Chairman Morton
- f. Personnel/Appointments/Rules - Chairman Flax
- g. Public Safety - Chairman Streeter
- h. Public Works/Recreation - Chairman Antipas
- i. Committee of the Whole - Mayor Somers

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

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| 2012-0228 | Noank Fire District Response on Noank School Reuse | Referral |
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RESOLUTION REJECTING THE NOANK FIRE DISTRICT'S NOANK SCHOOL REUSE COMMITTEE PROPOSAL FOR REUSE OF THE FORMER NOANK SCHOOL PROPERTY
WHEREAS, the Town of Groton's Noank School Reuse Task Force presented its final report and recommendation to the Town Council in October 2011, and

WHEREAS, on November 1, 2011 the Town Council endorsed two of the three recommendations of the Task Force, specifically 1) The [Noank School] property remain publicly owned; and 2) As a publicly owned property the Noank Fire District be given a six month time frame (from the date of the resolution) to present a plan for the school and property, and

WHEREAS, on May 8, 2012 and February 12, 2013 representatives of the Noank Fire District's Noank School Reuse Committee presented their ideas and plans for reuse of the property, and

WHEREAS, after reviewing potential terms of a Memorandum of Understanding and receiving comments from residents opposed to the plan, the Town Council feels that the reuse plan is not

adequately supported financially or by residents of the Noank Fire District, now therefore be it

RESOLVED, that the Town Council chooses not to enter into a Memorandum of Understanding for long term lease of the former Noank School Property to the Noank Fire District and re-refers the disposition of the Noank School and property to the Committee of the Whole.

Legislative History

7/19/2012 Mayor Referred Town Council Committee of th

7/24/2012 Town Council Committee of Motion
the Whole

to enter executive session at 9:22 p.m. to discuss 2012-0228 Noank Fire District Response on Noank School Reuse and to invite Town Manager Mark Oefinger to attend

7/24/2012 Town Council Committee of Discussed
the Whole

The executive session concluded at 9:40 p.m.

2/12/2013 Town Council Committee of Discussed
the Whole

Paul Bates introduced members of Noank's Noank School Reuse Committee (Mike Noel, Dexter Holaday, Katherine Rathbun, Ray Johnson, and Brian Burdick).

Mr. Burdick reviewed a PowerPoint presentation designed to provide an overview of the full presentation binders provided to Councilors.

The Committee's goal is to provide adequate information to allow the Town to decide about entering into a lease with the fire district for the Noank School. Mr. Burdick reviewed the background of the effort.

The Committee's efforts involved reconfirming their vision, re-reviewing the site analysis and confirming the conditions, developing a phased approach to refurbishment, investigating funding sources, and drafting a detailed plan.

Mr. Burdick reviewed phasing, noting three sections of the building (north, mid-section, and south). There are exterior issues that warrant immediate correction. Mr. Burdick reviewed the Committee's recommendations which include refurbishing the interior of the south section for initial use of the building. The electrical system is adequate with heating, ventilation, and air conditioning representing the biggest interior issue. The water and sewer systems are adequate. Rooms and corridors would be cleaned and painted. Potential uses for the site are storage and display space for historical societies; a music school; office/studio space; and public gatherings, shows, and celebrations in the auditorium.

The Committee's rough order of magnitude estimate for initial refurbishment is \$300,000 to \$440,000. The group has engaged a state representative about possible grant funds, but they need a formal agreement with the Town to proceed. The group may petition fire district residents for an increase in district taxes.

Mr. Burdick stated that the Committee is requesting a lease agreement with the Town. With the agreement in place, the group would refurbish and open the building for public use. The Committee would then provide a plan for further refurbishment based on public acceptance and enthusiasm. If residents choose not to fund the project, the Committee would cease its efforts.

Councilor Streeter asked if the building would revert to the Town if the fire district ceases its efforts, thereby making the Town responsible for demolition and Mr. Burdick stated yes. Mr. Burdick stated that Noank residents voted to proceed with the project at a public meeting. Liability insurance would be provided by the fire district. In response to Councilor Peruzzotti, Mr. Burdick noted that there are 1600 to 1800 residents in the Noank fire district. The vote on the project was 46 to 9 in favor.

In response to Councilor Flax, Mr. Bates stated there would be contingency funds in the budget for the project. Councilor Flax asked if Public Works personnel can assess the information that has been provided by Noank, but the two entities have already met and come to an understanding that the difference in renovation numbers is the result of different approaches. Councilor Flax questioned building safety and securing the portions of the building not being used. Mr. Bates explained that the group will install locked partitions for environmental and access control.

The Council also does not feel there was a viable financial plan presented. Therefore, the Council has decided that the Town will not pursue an MOU with Noank and will retain the property.

Councilor Flax does not feel the proposal is in the spirit of what the original Noank School Reuse Task Force was trying to achieve for the property. He suggested that if a similar plan had been proposed during the Task Force process, it would have been shot down." Mayor Somers added that the Town Council felt there would be an undue burden on fire district taxpayers to maintain the building. She noted receipt of a number of telephone calls and a petition with 120 signatures asking the Council not to move forward with the MOU. Mayor Somers reiterated the Council's concerns of no long term plan for the building and the undue burden on the fire district, coupled with the fact that it is not in the best interest of the Town to turn the building over at this time.

**3/26/2013 Town Council Committee of Motion
the Whole**

to not proceed with an MOU with the Noank Fire District and to re-refer the former Noank School to the Council for final disposition

2013-0079 Annual RTM Budget Meeting

Referral

RESOLUTION SETTING RTM BUDGET MEETING DATE ON THE 2013-2014 ANNUAL TOWN BUDGET

WHEREAS, Section 9.3.1 of the Groton Town Charter requires that the Town Council determine the date for the annual budget meeting of the Representative Town Meeting, now therefore be it

RESOLVED, that the Annual Budget Meeting of the Representative Town Meeting will be held on Monday April 29, 2013 at 7:00 p.m. at the Groton Senior Center, Newtown Road, Groton, Connecticut.

Legislative History

3/11/2013 Mayor Referred Town Council Committee of th

**3/26/2013 Town Council Committee of Discussed
the Whole**

Town Manager Oefinger noted the referral memo from Town Clerk Betsy Moukawsher proposing the Annual RTM Budget Meeting be held on Monday, April 29th at 7:00 p.m. at the Senior Center.

**3/26/2013 Town Council Committee of Recommended for a
the Whole Resolution**

2013-0087 Groton Rotary Grant - Groton Sailing Program

Referral

RESOLUTION AUTHORIZING THE TOWN MANAGER OR HIS DESIGNEE TO SEEK GRANT FUNDING FROM THE GROTON ROTARY CLUB TO BENEFIT SUMMER ACTIVITIES ASSOCIATED WITH THE GROTON SAILING PROGRAM

WHEREAS, at-risk Groton youth will benefit from an on-going, instructional sailing program which includes summer activities that foster sailing skills and teamwork, and

WHEREAS, Groton Human Services, via its Groton Sailing Program, has the capacity and community connections to offer a summer sailing program geared to the needs of at-risk Groton youth, and

WHEREAS, the Groton Rotary Club has grant funds available for community programs geared towards youth and families, now therefore be it

RESOLVED that the Groton Town Council hereby authorizes Town Manager Mark R. Oefinger or his designee to seek grant funding in the amount of \$1000 from the Groton Rotary Club which will be utilized by Groton Human Services to benefit the summer activities associated with the Groton Sailing Program.

Legislative History

3/18/2013 Mayor Referred Town Council Committee of th

2013-0088	3/26/2013 Town Council Committee of the Whole	Recommended for a Resolution	Referral
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RESOLUTION AUTHORIZING REMEDIATION WORK AT THE POQUONNOCK RIVER WALKWAY PARKLET PROPERTY

WHEREAS, the Town of Groton owns property at 65 and 91 Depot Road known as the Poquonnock River Walkway parklet where there are two storm water outfalls that discharge water from the former Electric Boat Midway Facility on Industrial Drive, and

WHEREAS, the area around and below the outfalls is contaminated with low levels of heavy metals and Electric Boat has developed a remedial action plan that has been approved by the U.S. Environmental Protection Agency and the Connecticut Department of Energy and Environmental Protection, and

WHEREAS, remediation will require work on the Town's property consisting of excavation of the embankment area and capping of Poquonnock River sediments, said work requiring necessary permits, and

WHEREAS, Electric Boat has indicated that they will restore the Town's property to its original condition prior to the remediation work, now therefore be it

RESOLVED that the Groton Town Council hereby authorizes remediation work at the Poquonnock River Walkway parklet property and further authorizes Town Manager Mark R. Oefinger to sign necessary applications to permit the work.

Legislative History

3/18/2013	Mayor	Referred	Town Council Committee of th
3/26/2013	Town Council Committee of the Whole	Discussed	

Town Manager Oefinger noted this issue involves the Poquonnock River Walkway Parklet just north of the entrance to Bluff Point. The former Electric Boat Midway Facility property was contaminated by solvents used in the manufacturing process. The situation has been monitored by Electric Boat over the years, and they would now like to undertake remediation. Electric Boat must access the Town's property because the drainage system serving the Midway Facility outlets through the parklet property. This property was obtained by the Town from Electric Boat and through a foreclosure. Electric Boat is requesting permission to access the property and the Town Manager must be authorized to sign associated land use applications. There is no cost to the Town. Portions of the park will not be available for some period of time. The Town Manager noted that Electric Boat representatives are available to make a presentation to the Town Council if desired.

3/26/2013	Town Council Committee of the Whole	Recommended for a Resolution
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Mark Berry, Director of Parks and Recreation, stated he has met with the engineers and Electric Boat has obtained DEEP approval. Any damage to the park will be taken care of. Work is scheduled for the fall so that the park will remain open during the summer

Suspension of the Rules to consider:

2013-0067	Small Cities Community Block Grant - 2013 Application	Referral
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RESOLUTION AUTHORIZING THE SUBMISSION OF A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR HOUSING REHABILITATION IMPROVEMENTS TOWN-WIDE

WHEREAS, federal monies are available under the Title 1 of the Housing and Community Development Act of 1974, 42 U.S.C. § 5301, et. seq., as amended, also known as Public Law 93-383, and administered by the State of Connecticut, Department of Economic and Community Development as the Connecticut Small Cities Community Development Block Grant Program; and

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of the State of Connecticut Department of Economic and Community Development is authorized to disburse such federal monies to local municipalities; and

WHEREAS, the Town wishes to provide financial assistance to eligible Groton property owners to upgrade their residential buildings, making them decent, safe and sanitary; and

WHEREAS, the Town of Groton conducted public hearings to receive citizen comments on housing and community development needs, prioritizing housing improvements as a community need; and

WHEREAS, it is desirable and in the public interest, that the Town of Groton make application to the State for \$400,000 in order to undertake a Small Cities Community Development project and to execute an Assistance Agreement therefore, should one be offered; now therefore be it

RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

1. That it is cognizant of the conditions and prerequisites for the State financial assistance imposed by Part VI of Chapter 130 of the Connecticut General Statutes; and
2. That the filing of an application for State financial assistance by the Town of Groton in an amount not to exceed \$400,000 is hereby approved and that Mark R. Oefinger, Town Manager, is hereby authorized and directed to file such application with the Commissioner of the Department of Economic and Community Development; to provide such additional information; to execute such other documents as may be required by the Commissioner; to execute an Assistance Agreement with the State of Connecticut for financial assistance if such an agreement is offered; to execute any amendments, recessions, and revisions thereto; to implement project activities, if approved; and to act as the authorized representative of the Town of Groton and to execute any other agreement or contract relative to said project.
3. That it adopts or has adopted on behalf of the Town of Groton, a policy to support the following non-discrimination agreements and warranties provided in subsection (a)(1) of Connecticut General Statutes Sections 4a-60 and 4a-60a, respectively, as amended by Public Act 07-142, and for which purposes the "contractor" is the Town of Groton and "contract" is said Assistance Agreement:

The contractor agrees and warrants that in the performance of the contract, such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental or physical disability, including but not limited to blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut. The contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated fairly when employed, without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental or physical disability, including, but not limited to blindness, unless it is shown by such contractor that such disability prevents performance of the work involved.

The contractor agrees and warrants that in the performance of the contract, such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the State of Connecticut, and that employees are treated fairly when employed, without regard to their sexual orientation.

Legislative History

2/28/2013	Mayor	Referred	Town Council Committee of th
3/12/2013	Town Council Committee of the Whole	Discussed	

Susan Cullen, Planner II, described Groton's housing rehabilitation program that has been in place since 1973.

Currently the Town offers a deferred loan program to update housing infrastructure. It is an income-based, revolving loan program. This grant application is for \$400,000 and it requires that the Town Council hold a public hearing.

**3/12/2013 Town Council Committee of Motion
the Whole**

to schedule a public hearing on the Small Cities Community Block Grant program on April 2, 2013.

In response to Mayor Somers, Ms. Cullen noted there is a lengthy waiting list and there have only been two loan defaults in the history of the program. All loans are backed up by mortgage documents. There are in-kind staff costs and contractual costs, but they are reimbursed through grant funding. The Town Manager explained that unlike in the past, the state looks for all of the revolving loan funds to be used before applying for another grant. The Town has an arrangement with a local non-profit to write the specifications, bid projects, etc. There is minimal staff cost and the program is being run very efficiently. All of the financial information for applicants is reviewed by the Community Development division

XI. OTHER BUSINESS

XII. ADJOURNMENT